

Remarks

1. The title of the invention, deemed undescriptive, has been changed to: "System for Marketing Goods and Services Utilizing Central and Remote Facilities."
2. It is respectfully requested that the requirement for new drawings be held in abeyance until some of the claims are allowed.
3. The appropriate serial number has been inserted in the blank provided therefor on page one of the specification. Also included in that paragraph is a statement indicating that all of the previously filed applications have been abandoned.
4. A Supplemental Declaration is filed herewith in response to that requirement.
- 5.-6. In order better to overcome the Section 112 rejection claims 1 - 5 now in the application have been canceled and rewritten.
7. There is now no double patenting issue since all of the previously filed applications have been abandoned as set forth by the amendment to page 1.
8. The issues herein have been simplified by the abandonment of Ser. No. 08/264,184, and the cancellation and rewriting of the five claims now in the application.
9. & 10. Since heretofore applicant has been prosecuting his applications pro se, the invention is not delineated as clearly as it might be. This being the case, prior to considering the Section 103 rejection,

some general comments relative to the prior art and the invention are believed indicated. The prior art in this case is reflected by D'Agostino and Lockwood. Admittedly D'Agostino, Lockwood and applicant seek solutions to virtually the same problem. But it is important to understand that each inventor took a different route. D'Agostino's solution was not obvious from Lockwood's. By the same token applicant's solution is not obvious given D'Agostino.

Lockwood provides services by means of simulated interviews with a fictitious agent created by audio-visual devices. Using that approach a customer is asked pertinent questions in order to learn the type of insurance desired and other information necessary to process a quotation. By Lockwood each terminal thus is programmed to elicit information in a predetermined sequence from a customer, and to transmit that information to a central processing center. In a fashion similar to a programmed course Lockwood obtains information required for a price quotation. At the central terminal the information is processed and the results are transmitted back to the terminal. The customer is then given an opportunity to select a policy or take it home for study. These are his only options. It is to be appreciated too that whereas queries from the customer are accepted, such questions are merely input for use in Lockwood's program. In Lockwood, then, the customer terminal is there merely for the purpose of satisfying the central processing center. In the system of applicant's invention the customer facility is there to satisfy

the customer. The emphasis is thus quite different.

D'Agostino rejects the Lockwood method, pointing out that small computers located at individual branches are merely self-service terminals. Although they greatly reduce labor costs, the reduction of such costs is at the expense of completely removing the human interface. To overcome this problem D'Agostino provides a computerized system which includes a personal representative, or financial assistant who is located at a central terminal. Each customer terminal stores financial information, and a display is provided at each of those terminals so that the central representative can display selected information. Thus, at least one central terminal is linked to the customer terminal, and the display of all of the information at the customer terminal is controlled at the central terminal. It is controlled by the representative at the central terminal in response to one-on-one conversations between the customer and the representative.

It can be seen that with D'Agostino the pendulum has swung too far in the opposite direction. It was not obvious to D'Agostino that some customers feel intimidated or pressured by telephone contact. It is to be understood that D'Agostino ignores the fact that some customers prefer to be left alone. It is applicant's position that neither D'Agostino nor Lockwood recognized three types of personalities. Applicant, as a teacher, found that some students just wanted to be left alone to attack the material by themselves. Other students wanted the material explained

to them before they undertook the work on their own. Still a third group of students preferred to have the matter explained for them as they sat passively by. Neither Lockwood nor D'Agostino appreciated or suggested a system to handle all three of these personalities or human behavior patterns. It cannot be said then that a system which does is obvious, particularly as of applicant's filing date, which precedes internet and computer shopping.

Referring now more specifically to the Office action, in addition to the 35 U.S.C. 112 rejection, claims 1 thru 5 have been rejected under Section 103 as unpatentable over D'Agostino. To overcome the Section 112 rejection, and to claim the invention with greater precision, new claims are presented herewith. In claiming the invention care has been taken to use language in the specification for each limitation. To this end, and to show that no new matter is introduced, page and line numbers are included in the discussion which follows.

Considering applicant's invention, as pointed out on page 16, from a list displayed on his monitor (line 31) the customer selects a central facility. On page 10, line 19, it is pointed out that certain information, such as directories of facilities for dialing purposes or a database of providers of goods and services similar to Yellow Pages, is stored at the remote facility. While, in general, all or substantially all application software is located at each central facility (page 11, line 4), such programs will prompt the customer for input, choices and preferences. It

will also be beneficial to download certain software from the central facility to the remote facility. Such downloaded software can be temporarily stored at the remote facility to be used in a current session to enable the customer to review the material leisurely. D'Agostino does not suggest giving the customer the freedom to review the product or service information on his own. On page 5 at line 10 applicant does. Again on page 21, line 13, it is stated that the customer can at his leisure and without the assistance of the representative review any desired information about the goods and services.

Thus after establishing contact with the central facility the customer without assistance can merely (page 17, line 17) help himself, and, in a self-service mode, browse through databases of goods and services, stored for control purposes at the central facility. Computerized voice or voice synthesis is provided to make this more interesting for the customer. On his own (line 24, page 21) the customer can back up, fast forward, skip, or jump to specific product or service information he wishes to look at. He can also request or command another level of information for greater detail.

In addition to a self-service approach to the problem, applicant provides (page 8, line 8) a system permitting the customer to obtain desired information on products or services of his choice by having access to highly knowledgeable representatives. Concurrently (page 18, line 16) the agent by using his or her digital computer, monitor and keyboard

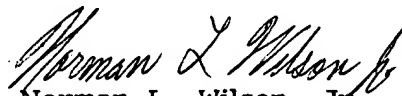
establishes electronic contact with the customer's modem, computer, monitor and printer. Such options as these available to a customer are not suggested by the prior art. It is urged that it is not obvious to provide both unassisted and assisted options for the customer as now claimed. If this were obvious, D'Agostino would not have been patentable over Lockwood. In short, D'Agostino and Lockwood oversimplified the task. A system which could be used alone, or with help, depending upon the complexity of the service or product transaction, or the personality of the customer, was not obvious to them. Indeed, they did not allow for the fact that different services and different customers require different approaches.

Summarizing, by providing such options the invention herein not only (page 22, line 13) permits greater utilization of the representative's time, but it allows the customer much more freedom. Unfamiliarity with computers makes even independent customers reluctant to work alone. The thought that a live representative is available if needed makes them more comfortable. They have the secure feeling of being able to ask for assistance if they wish. Applicant's system not only takes different personalities into consideration, but it also provides for different approaches depending on goods or services. Such advantages and latitude are foreign to the art of record. On the other hand, (top of page 17) audio, video and data can be transmitted to the customer's facility as the customer and representative speak with each other. The

representative will then provide the customer with information about the goods and services. The customer can then respond verbally to central facility prompts initiated by the representative.

Contrary to D'Agostino and Lockwood, the system provided herein is adapted to satisfy all types of customers. All of the prior art systems failed commercially. The reason for this is that they did not take all types of personalities and services into account. In addition, it is to be stressed that there is no suggestion in the prior art of computer means for transmitting data, voice, and images. Such a system has now been carefully and allowably claimed herein, along with novel dependent claims. Accordingly in the light of the foregoing amendments and newly presented claims this application is believed in condition for allowance. Such allowance is earnestly solicited.

Respectfully submitted,


Norman L. Wilson, Jr.
Attorney of Record